

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

WISCONSIN SHEET METAL HEALTH
AND BENEFIT FUND, et al.

Plaintiffs,

v.

Case No. 23-cv-204

JT HEATING & COOLING, LLC

Defendant.

ORDER AND ENTRY OF INJUNCTIVE RELIEF

On Plaintiffs' motion for injunctive relief in the above-captioned matter, the court orders as follows:

1. Defendant JT Heating & Cooling, LLC has failed to plead or otherwise defend as provided by Federal Rule of Civil Procedure 55(a).
2. Defendant JT Heating & Cooling, LLC violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreements by failing to pay fringe benefit contributions on behalf of its employees to Plaintiff Funds and by failing to submit to an audit of the company's books and records by Plaintiff Funds' designated representative covering the period of June 1, 2022, to the present date.
3. Plaintiff Funds must conduct an audit of Defendant's payroll records to liquidate its claims and proceed to judgment.

ORDER

IT IS ORDERED THAT:

1. That Defendant JT Heating & Cooling, LLC shall submit within ten (10) days of the date of this Order to an audit of the company's books and records by Plaintiff Funds' designated representative covering the period June 1, 2022, to the present date.
2. Plaintiffs may submit a motion for default judgment within thirty (30) days of completion of the audit, at which point the court will hold a hearing on the motion and, as appropriate, enter judgment in favor of Plaintiffs to include all contributions, interest and liquidated damages due to Plaintiffs as reported by the auditor, along with Plaintiffs' costs and attorney's fees.
3. In the absence of a motion for default judgment or request for further relief, the court shall hold a telephone status conference on August 31, 2023, at 9:00 a.m.

Entered this 25TH day of JULY, 2023.

BY THE COURT:



JAMES D. PETERSON
District Judge